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5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. CR06-455-JCC -1  
10 v. )  
11 FIRAM AL-ZAYADY, ) **PROPOSED FINDINGS OF**  
 ) **FACT AND DETERMINATION**  
 ) **AS TO ALLEGED**  
 ) **VIOLATIONS OF**  
 ) **SUPERVISED RELEASE**  
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12 INTRODUCTION

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14 I conducted a hearing on alleged violations of supervised release in this case on March 20,  
15 2009. The defendant appeared pursuant to a summons issued in this case. The United States  
16 was represented by Brian Werner, and defendant was represented by Jay Warren Stansell. Also  
17 present was U.S. Probation Officer Andrew Lorenzen. The proceedings were digitally recorded.

18 CONVICTION AND SENTENCE

19 Defendant was sentenced on June 1, 2007 by the Honorable John C. Coughenour for  
20 Possession of a Firearm, Possession of an Unregistered Firearm, Possession of Body Armor by a  
21 Person Convicted of a Violent Offense. He received 18 months of imprisonment and 3 years of  
22 Supervised Release.

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PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO VIOLATIONS OF  
SUPERVISED RELEASE -1

1 PRESENTLY ALLEGED VIOLATIONS AND  
2 DEFENDANT'S ADMISSION OF THE VIOLATION

3 In a petition dated September 5, 2008, U.S. Probation Officer Monique D. Neal alleged that  
4 defendant violated the following conditions of supervised release:

5 1. Using gabapentin without a valid prescription on or before July 23, 2008, in violation  
6 of standard condition No. 7.

7 2. Failing to report for drug testing as instructed by defendant's U.S. Probation Officer  
8 on August 6, August 12, and September 4, 2008, in violation of the special condition that the  
9 defendant participate as instructed in a program approved by the probation office for treatment of  
10 narcotic addiction, drug dependency, or substance abuse which may include testing to determine if  
11 the defendant has reverted to the use of drugs or alcohol.

12 3. Failing to notify the probation officer at least 10 days prior to any change in  
13 residence or employment, in violation of standard condition No. 6.

14 4. Failing to report to the probation officer as directed on August 27, 2008, in violation  
15 of standard condition No. 2.

16 In a supplemental violation report dated March 10, 2009, U.S. Probation Officer Monique D.  
17 Neal alleged that defendant violated the following conditions of supervised release:

18 5. Committing the crime of Attempting to Elude a Pursuing Police Vehicle, on or about  
19 November 18, 2008, in violation of the standard condition that the defendant shall not commit  
20 another federal, state, or local crime.

21 6. Committing the crime of Possession of Methamphetamine on or about November 18,  
22 2008, in violation of the standard condition that the defendant shall not commit another federal,  
23 state, or local crime.

1 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
2 and was informed the matter would be set for a disposition hearing Friday, April 3, 2009 at 9:00  
3 a.m. before District Judge John C. Coughenour.

4 RECOMMENDED FINDINGS AND CONCLUSIONS

5 Based upon the foregoing, I recommend the court find that defendant has violated the  
6 conditions of his supervised release as alleged above, and conduct a disposition hearing.

7 DATED this 19<sup>th</sup> day of March, 2009.

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10 BRIAN A. TSUCHIDA  
11 United States Magistrate Judge  
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